

REMARKS

Reconsideration of the present application is requested.

New claims 13-19 have replaced the previous claims. Claim 13 recites, *inter alia*, that the clamp is movable relative to the disc and that the force applied to the clamp (i.e., the "first force") causes the clamp to urge the knife away from the disc and against the wear plate.

That previously known type of mounting has certain advantages, but also exhibits a disadvantage in that, during clamping, both the clamp and the knife may tend to be displaced in the projecting direction of the knife, i.e., generally radially outwardly, such that the knife tip will be displaced too far radially outwardly. Measures can be taken to eliminate that disadvantage, as described in connection with present Figs. 1 and 2, i.e., by causing a portion 15 of the clamp to contact a surface 14 of the disc 4 during clamping in order for the disc to apply a force to the clamp which prevents the clamp (and thus the knife) from moving in the projecting direction of the knife. However, such contact produces forces that can result in an undesirable weakening of the clamping force located near the radially outer portion of the knife (i.e., the force P4 in Fig. 2 becomes weakened).

That weakening of the force P4 is eliminated by the presently claimed invention in which the clamp is caused to contact the wear plate (not the disc) during clamping and such that the wear plate applies a force to the clamp in a direction opposite the projecting direction of the knife.

Previous (now-cancelled) claims 6 and 8 were rejected over *Durkee* or *Kershaw*, but neither of those references discloses a chipper having even the basic mounting arrangement presently claimed, i.e., wherein the clamp and the knife are

urged away from the disc during a clamping step. In *Durkee*, the knife 12 is clamped between a knife seat 36 (called a clamp in the Official Action) and a retainer plate 37 (called a wear plate in the Official Action), both of which are urged toward the disc 8 by the clamping force (i.e., from screws 38), rather than being urged away from the disc as presently claimed.

The Official Action asserts that such a difference would have been obvious in view of *Rosenkranz et al.* That is, it is alleged that *Rosenkranz et al.* teaches "means 41 for exerting a force that pushes a clamp 4 in a direction away from the disc as seen in figure 2." However, that does not seem to be an accurate description of the device of *Rosenkranz et al.* The screw 41 is connected between the members 4 and 5 and merely serves to connect the member 5 to the member 4 (which thus serves as a holder for the member 5) so that the members 4, 5 can be handled as a unit. The screw 41 thus draws the members 4 and 5 toward one another to form a unit which is pressed to the left against the cutter block 1 by the member 2. It is not understood what part of Fig. 2 is considered to correspond to the presently claimed "disc" or how it can be interpreted that the member 4 is pushed away from such disc. If the block 1 is somehow considered to correspond to a disc, it should be noted that the member 4 is located in a pocket of the block 1 and thus is urged toward one part of the block and away from another part of the block.

Thus, *Rosenkranz et al.* teaches to form a pocket in a block in which a cutter is inserted, and to press the cutter against a portion of the same block. That is completely contrary to the presently claimed invention.

Furthermore, it is noted that *Durkee*'s knife seat 36, which is called a clamp in the Official Action, is not movable relative to the disc, as presently claimed, since the

knife seat 36 seems to be fixed to the disc by unnumbered screws (shown in phantom lines in Fig. 4,) and is definitely fixed against movement by the reaction block 30 shown in Fig. 4.

Accordingly, it is submitted that claim 13 distinguishes patentably over *Durkee* and *Rosenkranz*.

Claim 15, like claim 13, recites that the clamp is movable relative to the disc and that the clamping force applied to the clamp causes the clamp to urge the knife away from the disc and against the wear plate. Accordingly, the comments applied above to claim 13 apply to claim 15 as well.

As regards the *Kershaw* patent, attention is directed to the marked up copy of Fig. 3 thereof that was attached to the September 24, 2007 Official Action in which member 34 was called a wear plate, and that member 34 is attached to an unnumbered member (called a clamp in the Official Action) by a screw 36 to clamp a knife 33 therebetween. Since the screw 36 terminates within the unnumbered "clamp" member, the clamp member must be fixed to the disc 47. In contrast, claim 13 recites that the clamp member is movable relative to the disc. Also, the clamping forces in *Kershaw* urge the clamp and the knife toward the disc (not away from the disc as presently claimed), so the above comments directed to the *Durkee* and *Rosenkranz et al.* references are applicable as well to *Kershaw*.

The Official Action also refers to the case of *In re Einstein*, 8 USPQ 167 as somehow making the presently claimed invention obvious. In that case, a patent applicant's device included a movable cam groove which received a stationary cam, whereas in the cited prior art, the cam was movable and the cam groove was stationary. It was held to be a mere obvious reversal of parts to make the cam

stationary and the cam groove movable. However the presently claimed invention involves more than a mere reversal of parts. Rather, it involves changing the direction in which a clamping force is applied, whereby different parts of the device are utilized to oppose those forces. It is not clear how "parts" of *Durkee* or *Kershaw* could be simply reversed to result in the presently claimed invention.

In light of the foregoing, it is submitted that the present claims distinguish patentably over the applied prior art, and the application is in condition for allowance.

Respectfully submitted,

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